

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

UNITED STATES OF AMERICA	§	
	§	
vs.	§	NO: WA:19-CR-00096(1)-ADA
	§	
(1) RONNIE LEE TANNER JR.	§	

ORDER ACCEPTING REPORT AND RECOMMENDATION .
OF THE UNITED STATES MAGISTRATE JUDGE

Before the court is the above styled and numbered cause. On August 29, 2023 the United States Probation Office filed a Petition For Warrant or Summons For Offender Under Supervision for Defendant (1) RONNIE LEE TANNER JR., which alleged that Tanner violated a condition of his supervised release and recommended that Tanner 's supervised release be revoked (Clerk's Document No. 38). A warrant issued and Tanner was arrested. On January 5, 2024, Tanner appeared before a United States Magistrate Judge, was ordered detained, and a revocation of supervised release hearing was set.

Tanner appeared before the magistrate judge on January 23, 2024, waived his right to a preliminary hearing and to be present before the United States District Judge at the time of modification of sentence, and consented to allocution before the magistrate judge. Following the hearing, the magistrate judge signed his report and recommendation on January 24, 2024, which provides that having carefully considered all of the arguments and evidence presented by the Government and Defendant, based on the original offense

and the intervening conduct of Tanner, the magistrate judge recommends that this court continue Tanner supervised release. The magistrate judge recommends the additional following special conditions: That the Defendant be remanded to the custody of the U.S. Marshal for thirty days as a special condition of a three-year term of supervised release. As special conditions of supervised release, the Defendant shall undergo a substance use and mental health evaluation and participate in whatever counseling is deemed appropriate. The Defendant shall actively seek and maintain employment. (Clerk's Document No. 53).

A party may serve and file specific, written objections to the proposed findings and recommendations of a magistrate judge within fourteen days after being served with a copy of the report and recommendation, and thereby secure a *de novo* review by the district court. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A party's failure to timely file written objections to the proposed findings, conclusions, and recommendation in a report and recommendation bars that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. *Douglass v. United Services Auto Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (*en bane*). The parties in this cause were properly notified of the consequences of a failure to file objections.

On January 23, 2024, following the hearing on the motion to revoke supervised release, all parties signed a Waiver Of Fourteen Day Rule For Filing Objections To

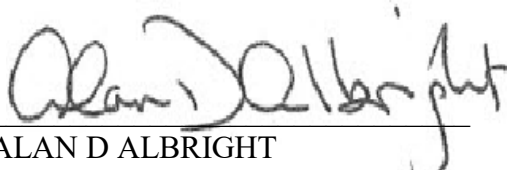
Report and Recommendation Of United States Magistrate Judge (Clerk's Document No. 50). The court, having reviewed the entire record and finding no plain error, accepts and adopts the report and recommendation filed in this cause.

IT IS THEREFORE ORDERED that the Report and Recommendation of the United States Magistrate Judge filed in this cause (Clerk's Document No. 53) is hereby ACCEPTED AND ADOPTED by this court.

IT IS FURTHER ORDERED that Defendant (1) RONNIE LEE TANNER JR.'s term of supervised release is hereby CONTINUED. Defendant Tanner shall comply with the following special conditions: the Defendant shall be remanded to the custody of the U.S. Marshal for thirty days as a special condition of a three-year term of supervised release. As special conditions of supervised release, the Defendant shall undergo a substance use and mental health evaluation and participate in whatever counseling is deemed appropriate. The Defendant shall actively seek and maintain employment.

IT IS FURTHER ORDERED that all prior conditions of supervised release are reimposed.

Signed this 24th day of January, 2024.


ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE